

to be the son of an admiral, and the North Vietnamese were going to make him a symbol and release him. He wouldn't do it. He wouldn't accept it. His body was broken by the torture and the plane crash, but he stayed in that cell and waited his turn, until the moment came when he could leave with his head up.

John didn't want to be defined as a professional prisoner of war. I love the story about a party that was given for John and his fellow captives after they got home. One young man was telling the story of his confinement in some detail when he happened to look over and see John McCain. He suddenly felt conspicuous and said to John: I shouldn't be going on about my time as a prisoner of war. I was there for 6 weeks, and you were there for 5½ years.

With typical John McCain humor and wit, John replied: Oh, no, go right ahead. The first 6 weeks were the toughest.

Like Abraham Lincoln, John McCain knew that laughter helped to make the unbearable bearable, and like President Lincoln, he was secure enough in his own reputation and in his own achievements to be modest.

John endured the hell of the Hanoi Hilton more than many. He served in the Senate longer than many. He leaves his mark on this body and our Nation.

When the issue of torture and detention was front and center before the American people, when we were trying to decide what were the boundaries for this democracy, faced with the threat of terrorism, there was one voice in the Senate who was credible. It was John McCain.

I made speech after speech on the subject, but when John McCain got up and spoke about the issue of torture, there was silence on the floor of the Senate as we listened carefully. He proposed a resolution establishing humane standards of treatment, realizing the humanity we showed toward our prisoners is the same humanity we expected if Americans were taken prisoner. His effort was enacted by the Senate with over 90 votes, a strong bipartisan rollcall.

John McCain, more than anything, was a champion of the U.S. military—the men and women who serve in our Armed Forces. They never had a better friend. Our Nation's veterans and their families never had a stronger ally. He was a leader in the fight to curb the influence of special interests in politics and to make our government truly a government of, by, and for the people.

Russ Feingold and John McCain moved us toward what America is long—for—putting the special interests behind us, putting the people first, ending soft money.

He treasured our heritage as a nation of immigrants. I have such profound respect for John McCain's efforts to reach across the aisle and try to find solutions for America's broken immi-

gration system. Even as his own party railed against him, we spent almost a year together—eight Senators, four Democrats and four Republicans, led by John McCain—to write a comprehensive immigration reform bill. It was one of my proudest moments in the Senate. It was why I ran for the Senate. It was what John McCain told us over and over was to be our mission in life as Senators: To solve the problems facing America and not to be worried about taking some heat.

He took a lot of heat as a Republican who stepped up and offered a real solution to our comprehensive immigration challenge. We put together a bill over the course of a year. I think it was an extraordinary effort. We all had to compromise. John compromised and I compromised, but we ended up with a bipartisan bill that passed overwhelmingly on the floor of the Senate.

There hasn't been another moment like that in the time I have been here, and John led the way. He took a lot of grief for it. His poll numbers were not that good, particularly among the most conservative Republicans, but John knew we had a problem to solve, and he stepped out and did it. I was honored to be a part of the small group that worked night after night, week after week to put that effort together.

Of course, what I remember now more than anything is that middle-of-the-night vote a little over a year ago. He walked through that door, just having spoken on the telephone with President Trump, and he came to the well of the Senate and stood right next to that table. Because he had limited motion in his arm because of that plane crash and torture in Vietnam, he barely lifted his right arm and pushed his thumb down and said no. With that "no" vote, he preserved health insurance for millions of Americans, and he invoked the ire of conservative Republicans, who will never forgive him for that moment. It was one of the proudest, most courageous votes and moments in the history of the Senate. I was honored to be here and had a chance to thank him personally that night.

I also remember when he came to the floor and spoke at that desk, which is now bearing the vase of roses, a tribute to John McCain, and reminded all of us why we run for this office. Sure, it is a great title and a lot of Americans never get close to a title like U.S. Senator, but to John McCain and to many of us, it is much more. It is not only a great honor. It is a great challenge for us to do something with this title to solve the problems that face this country.

I didn't always agree with John, but I always respected the fact that he wanted the Senate to be an institution that was serving the people in this country and solving the problems we face.

John was principled and courageous time and again. There were times when we had our differences. I can recall

when he came to Illinois to campaign against me. He was campaigning on behalf of a State Representative in Illinois named Jim Durkin—not Durbin, but Durkin—who had been John's supporter for President in the State of Illinois. John returned the favor by campaigning for Jim Durkin against me. You might wonder, in this world of politics, how you react to a person who is trying to take your job away, which John was doing. I understood it. I expected it. Jim Durkin was loyal to John McCain, and John McCain was loyal to him and came in and campaigned for him.

After the election was over, the people of Illinois decided I should be the Senator. It didn't deter John McCain one bit from working with me from that point forward.

There is an empty space in this Chamber without John McCain. There is an empty space in America without his spirit. He will be missed, but he certainly will never be forgotten. I endorse the proposal to rename the Russell Senate Office Building in honor of Lieutenant Commander and Senator John McCain. Like Senator Schumer, I hope that decades from now, children who are visitors to the Capitol grounds will ask: Who was this McCain they named the building after? They will discover he was a man worthy of our respect, a man who in his heart was a public servant, a man who was an American hero.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING JOHN MCCAIN

Mr. SCHUMER. Madam President, as the Senate continues to mourn the loss of our friend and fellow Senator John McCain, let us dwell on how best to remember this great man; his friendship, his service, his integrity, his career in the Senate.

One of the ways to carry on his memory is for us to try to live up to the expectations he had for the Senate, expectations he shared with us even in his waning days: to act with more humility, to ignore the critics, to put aside our differences when necessary, and learn to trust each other more.

In Senator McCain's memory, we can try to live by those principles and make this Senate a place where, despite the noisy din of politics, progress can still be made.

That is a sentiment I hope will long outlast the memorials, the tributes, and the observances this week.

I also propose that we recognize Senator McCain's legacy by renaming the Russell Senate Office Building in his honor. For three decades, Senator McCain was a fixture in those marble halls, an institution of the Senate. It is only fitting that his name should adorn a physical institution of the Senate, particularly one that housed the Armed Services Committee. What better way to encourage future Senators, their staffs, reporters, and average Americans to study his noble but imperfect example.

Today I will be circulating a letter with Senator FLAKE, asking all of our colleagues if they will be willing to join us in a resolution to officially rename the Russell Building the McCain Building. I hope that many, if not most or all, will join because Senator McCain was a dear friend to all of us and a great American, a great Senator, a great man. Let his name be an example to future generations, as his service and character were to every one of us.

NOMINATION OF BRETT KAVANAUGH

Mr. SCHUMER. Madam President, on another matter, next week the Senate Judiciary Committee will begin hearings on President Trump's nomination to the Supreme Court, Judge Brett Kavanaugh. For Senators both on and off the committee to do their constitutional duty, to advise and consent on his nomination, they must have time to review the nominee's record.

Unfortunately, Chairman GRASSLEY has so far frustrated our effort to get full access to the judge's records.

First, he requested only 10 to 15 percent of Kavanaugh's White House record, unilaterally declaring the bulk of his time in the White House irrelevant.

As the National Archives works through that request, the Judiciary Committee has been accepting documents from a lawyer hired by the Bush Library to prescreen documents. That lawyer, Mr. Burck, who counts Steve Bannon, Reince Priebus, and White House Counsel Don McGahn among his clients, has provided only 6 percent—6 percent—of Kavanaugh's White House record to the Judiciary Committee, recently declaring some documents personal rather than Presidential records, a determination we have been given no basis for.

Judiciary Republicans went even further in their efforts to conceal Judge Kavanaugh's record by labeling another small portion of those documents committee confidential. So of the 6 percent, close to one-third cannot be seen by anyone but members of the Judiciary Committee, and they can't talk about it to others. That is 4 percent of Kavanaugh's record being made public, and there are no guidelines, no rules, as to which 4 percent is being made

public and which 96 percent is being withheld. Obviously, one might think the lawyer, who is clearly totally hooked into the Republican appointment of Kavanaugh mechanism, would not allow things that might be controversial, that might put Kavanaugh in not such a good light. Yet there is not even a standard as to which documents are made public and which are kept confidential.

Does that sound fair to the Senate? Does that sound fair to the American people who have a right to read and understand who this potential future Supreme Court Justice may be?

The burden of proof should not be on disclosure of documents. We believe in disclosure. We are an open place. Senator GRASSLEY has made disclosure of things throughout the executive branch a hallmark of his career. Yet now they make the burden of proof on those who want to disclose, and the presumption is documents will not be disclosed. It is so wrong.

Any fairminded observer would be hard pressed to say that the review of Judge Kavanaugh's record has been transparent, open, and fair. It has not been.

The Supreme Court Justice, the next one, will have immense influence over the lives of Americans for generations on issues ranging from women's reproductive rights to healthcare, protections for preexisting conditions, civil rights, labor rights, environmental rights, LGBTQ rights, and so much more. The next Supreme Court Justice may very well make crucial decisions about the limits of Executive power and accountability, something that hangs in the balance right now with all of President Trump's actions.

We know already that Judge Kavanaugh has some deeply troubling views on these issues, both because of his writings and because he was selected by a President who explicitly promised to pick pro-life judges and judges hostile to our Nation's healthcare law.

So, in order to get a complete picture of Judge Kavanaugh's views on these crucial issues, his record should be made public. There may be some highly relevant information on issues like *Roe v. Wade*, campaign finance, affirmative action, and more, contained within the documents Chairman GRASSLEY has labeled "committee confidential."

Again, there is very relevant and significant information, even in the committee confidential documents, about *Roe*, campaign finance, affirmative action, and more. They should be made public, and Senator GRASSLEY can do it with a flick of his pen. I would appeal to him as a man, again, who has stood for disclosure and openness, who has probed and gotten angry at executive branch members of both parties for withholding information. Now, of course, we have this 180-degree turn. It is not like the best of Chairman GRASSLEY, and I hope he will change his mind.

Certainly, there is an offer to allow Senators to view these documents, but they ought to be released to the public. We don't have secret proceedings when we choose a Supreme Court Justice. It is not the Senate going into the Old Chamber and debating among themselves. These documents should be made public. The Senate should not be in the practice of shrouding the eyes of the public from the crucial business of learning what a Supreme Court nominee will be like.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Lynn A. Johnson, of Colorado, to be Assistant Secretary for Family Support, Department of Health and Human Services.

The PRESIDING OFFICER. Under the previous order, all time has expired.

The question is, Will the Senate advise and consent to the Johnson nomination?

Mr. WHITEHOUSE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. YOUNG). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 67, nays 28, as follows:

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), and the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) is necessarily absent.

[Rollcall Vote No. 195 Ex.]

YEAS—67

Alexander	Collins	Gardner
Baldwin	Corker	Grassley
Barrasso	Cornyn	Hassan
Bennet	Cotton	Hatch
Blunt	Crapo	Heitkamp
Boozman	Daines	Heller
Burr	Donnelly	Hirono
Cantwell	Enzi	Hoeven
Capito	Ernst	Hyde-Smith
Casey	Fischer	Inhofe
Cassidy	Flake	Isakson